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Products harmful to health and the environment

Report of the Secretary-General

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I. Introduction

1. The question of the exchange of information on banned hazardous chemicals and unsafe pharmaceutical products was first considered by the General Assembly at its thirty-fourth session, in 1979. In its resolution 37/137 of 17 December 1982, the General Assembly requested the Secretary-General to prepare a Consolidated List of Products Whose Consumption and/or Sale Have Been Banned, Withdrawn, Severely Restricted or Not Approved by Governments[1] on the basis of the work already being undertaken within the United Nations system.

2. In its resolution 39/229 of 18 December 1984, the General Assembly decided, inter alia, that an updated Consolidated List should be issued annually, and that the data should be made available to Governments and other users through direct computer access to it. In accordance with this, the format of the List has been kept under continued review in cooperation with the relevant organs, organizations and bodies of the United Nations system, with a view to its improvement, taking into account its complementary nature, the experience obtained and the views expressed by Governments. In accordance with the same resolution, the Secretary-General informed the Assembly at its forty-first session and every third year thereafter, through the Economic and Social Council, on the implementation of the above resolutions. In its resolution 44/226 of 22 December 1989, the Assembly requested the Secretary-General to make suggestions on ways and means of providing technical assistance, particularly to developing countries, for strengthening their capacity to utilize the List, and to study all pending issues, including sustainable alternatives to banned and severely restricted products and unregistered pesticides. In its resolution 1998/41 of 30 July 1998, the Economic and Social Council requested the Secretary-General, inter alia, to continue to focus the List on chemical and pharmaceutical products in alternate years, with the same frequency in publishing it in all official languages, as adopted in previous General Assembly resolutions.

3. The present report, covering the sixth triennial review of the Consolidated List, is prepared in response to the above-mentioned resolutions. It provides an overview of major developments since 1998 regarding harmful products and their effects on human health and the environment, and makes proposals on the possible impact of these developments on the format, content and coverage of the List. The report also indicates changes that may affect its production and distribution.

4. The present report was prepared based on contributions provided by a number of organizations of the United Nations system.

II. Review of the Consolidated List

A. Arrangements for the production of the List

5. In 1985, the United Nations Secretariat, in close cooperation with the World Health Organization (WHO) and the then United Nations Environment Programme (UNEP)/International Register of Potentially Toxic Chemicals (IRPTC), now named UNEP Chemicals, met at their first inter-agency coordinating meeting,[2] and carried out the first review of the Consolidated List. The review focused on arrangements for the preparation of future issues, the need for criteria for determining the inclusion of products, the question of the legal and public health context of regulatory actions that had not been included in the first issue of the List, and the treatment of commercial data. As a result of the review, a memorandum of collaboration, outlining the division of responsibilities among WHO, UNEP Chemicals and the United Nations Secretariat, was agreed upon. Since the first triennial review, the arrangements for the production of the List have remained essentially the same. More detailed information on adjustments made to the List has been outlined in previous reports of the Secretary-General.[3] Therefore, only most recent adjustments are outlined in the present report.

6. Following agreements reached at consultations held during the periodic inter-agency coordinating meetings, it was decided in 1995 to divide the Consolidated List into two parts, each being published in alternate years, one focusing on pharmaceuticals and the other on chemicals. The sixth issue of the List, the first under the new arrangement and containing information on pharmaceutical products only, was published in 1997, and the seventh issue, currently under preparation and scheduled for publication later in 2001, will contain information on chemicals only.

7. Efforts to have the seventh issue of the Consolidated List published earlier have been hampered because of the technical difficulties encountered in the maintenance of the DOS-based computer programme used to publish the List. However, a new Windows-based computer programme is being developed and efforts continue to be made to have the seventh issue of the List ready for review by the Council at its substantive session of 2001.

B. Format, content and scope

8. Continuous review of the format and content of the Consolidated List have made it possible to expand its coverage and scope. While the List, in line with General Assembly resolution 37/137, has remained easy to read and understand, the number of products listed and the number of Governments reporting have regularly increased with each new edition of the List. Thus, the first issue of the List covered less than 500 products regulated by 60 Governments, the fifth and last issue covering both pharmaceuticals and chemicals included more than 700 products with regulatory actions taken by 94 Governments, and the sixth issue, dealing with pharmaceuticals only, contained information on 366 products regulated by 77 Governments. The seventh issue should cover well over 300 chemical products, out of which only 31 are currently included in the interim prior informal consent (PIC) procedure adopted by the Conference of Plenipotentiaries in Rotterdam, the Netherlands, on 10 September 1998 in the Rotterdam Convention[4] (see paras. 37-42).

9. In this connection, it should be pointed out that information on a considerable number of products and related data on chemicals included in the Consolidated List has been provided by UNEP originating from a variety of sources, especially the IRPTC legal file and submissions made under the original voluntary PIC procedure. In 1995, however, UNEP ceased updating the legal file. In 1998, when the original PIC procedure was superseded by the interim PIC procedure — operated in accordance with the provisions of the Rotterdam Convention — it became apparent that virtually all the notifications of bans or severe restrictions previously submitted under the original PIC procedure did not meet the new information requirements, as set out in annex I to the Convention. Consequently, the Convention secretariat only considers as valid those notifications of bans or severe restrictions that meet the requirements of the Convention.

10. Recognizing that all pharmaceutical and chemical products are potentially harmful if not correctly used, it is worthwhile to highlight a number of considerations that may affect the contents of the Consolidated List, such as: (a) decisions taken by a limited number of Governments on a specific product may not be representative of the policy position of other Governments, particularly in view of differing risk-benefit considerations; (b) the fact that a given product is not listed as regulated by a country does not necessarily mean that its use is permitted in that country; rather, it may mean that the relevant regulatory decision to prohibit its use has not yet been communicated to the United Nations, WHO or UNEP; and (c) in the case of pharmaceuticals and pesticides, which are frequently subject to compulsory registration procedures, the product may not have been submitted for registration.

11. It should be indicated that the criteria[4] developed in 1987 governing the inclusion of pharmaceutical and chemical products in the Consolidated List significantly facilitated the screening of information included in the publication. However, the interpretation of Governments in applying, in particular, the criterion "severely restricted" continued to vary widely, leading to considerable unevenness in reporting on national restrictive measures. That situation has greatly improved with the new definitions adopted under the legally binding Rotterdam Convention. Notwithstanding that the number of products covered under the Convention is still rather limited, it would be useful to continue to provide information on identified hazardous products through the List until the process under the Rotterdam Convention can be reviewed and a decision taken on inclusion of any of these products.

12. As with previous issues of the Consolidated List, the scope of information contained in the List will remain essentially the same. The List is divided in two parts. Part I, compiled by the United Nations, WHO and UNEP, contains the text of restrictive regulatory decisions taken by competent national authorities on both pharmaceutical (monocomponents and combinations) and chemical (agricultural and industrial) products. Consumer products have been included only when they are hazardous because of their chemical composition. Psychotropic and narcotic

substances, covered by international conventions, are included only in cases where a country has notified WHO either that the substance is controlled more rigorously than is provided for under the relevant international conventions, or that the substance has been subjected to national control before being considered for international scheduling. The List does not include many widely used industrial chemicals to which occupational exposure limits have been assigned by national authorities. Information on these products is available in publications of the International Labour Organization (ILO).[5] Similarly, relevant information on food additives, which fall outside the scope of the List, is considered by the Food and Agriculture Organization of the United Nations (FAO)/WHO Codex Alimentarius Commission.[6] The regulatory information also includes references to the relevant legal and statutory documents in order to enable the user to ascertain the legal context and scope of the regulations. There are also bibliographic references to scientific and technical studies by international organizations relating to chemical products. In addition, the List includes an alphabetical and classified listing of products and three indexes: scientific and common names, trade/brand names and Chemical Abstract Service Registry numbers.

13. Part II of the Consolidated List presents commercial information, relating to a large proportion of the products included in part I of the List. The commercial data is compiled by the United Nations Secretariat from publicly available sources and it includes information on the manufacturers of these products and their generic and if available, the proprietary trade names, under which these products are marketed worldwide. Only the name and location of the parent company is included in the List, even when the actual producer is a subsidiary located in another country. An effort is made to verify collected commercial data with the respective manufacturer before printing the List.

14. On the issue of information related to national regulatory actions taken on pharmaceutical products, WHO regularly provides explanatory comments. These comments contain useful information reflecting the position of Governments on their regulatory actions in the light of different national priorities, thus providing context for these actions. On the other hand, UNEP and the International Programme on Chemical Safety are not able to provide similar comments on regulatory actions related to agricultural and industrial chemicals, because of the large number of products in which these chemicals appear and the many applications of such products. Also, taking into consideration that results from risk-benefit assessments and consequent decisions taken by Governments may vary widely and may not always be communicated to UNEP and/or the International Programme on Chemical Safety, it has been so far difficult for these organizations to provide comments on prohibitions or restrictions on the use of chemical products. However, in the case of pesticides and chemicals banned or severely restricted under the Rotterdam Convention, decision guidance documents, prepared by the Convention secretariat, provide detailed information including summaries of risk and benefits and reasons for regulatory action.

C. Computer access, periodicity and language versions

15. Information contained in the Consolidated List has been maintained on personal computers since the early nineties when it was downloaded from mainframe computers, and the data was transferred to diskettes in 1994 on an experimental basis. However, technical problems with the computer programme previously used to publish the List constrained the Secretariat's ability to produce these items in a timely manner. The Secretariat continues to make efforts to produce List data on diskettes/CD-ROMs with search facilities and to make them available as sales items in addition to the printed text. Now that a new computer programme is in use, the possibility of making the List available on the Internet will also be explored. While the List is a sales publication, consultations continue to be made in order to provide free of charge Internet access to the List's database.

16. Close attention has been paid to having the Consolidated List published as stipulated in General Assembly resolutions 39/229 and 44/226. While dividing the publishing of the list in two issues, one for pharmaceuticals and the other for chemicals, has facilitated the handling of large and growing databases, the recommendation of the Economic and Social Council on publishing the List in sets of alternating languages each year, with no more than three languages per year and with the same frequency for each language, has proved difficult to be implemented. One of the main obstacles includes the non-availability of

database facilities in languages other than English. Taking into consideration that the List is now separated into two parts — pharmaceuticals and chemicals — the Council may wish to review the above recommendation and consider the possibility of having each issue of the List published in all official languages of the United Nations. This would greatly assist the Secretariat in its efforts to publish the List in a timely manner in all official languages.

17. It should also be pointed out that the various databases are maintained in English and the collection, updating and modification of commercial data in the Consolidated List, also undertaken by the United Nations Secretariat, is carried out in English as well. However, under the interim PIC procedure, as well as the original PIC procedure, summaries of notifications to ban or severely restrict a chemical submitted by parties are published by the respective Convention secretariat (UNEP) in three languages (English, French and Spanish). While considerable progress has been achieved in publishing the List in English, the development of comparable database facilities in other languages would greatly accelerate the process of translating and publishing the List in other official languages and will help reduce the lag between making the List available in English vis-à-vis other official languages.

D. Dissemination and utilization

18. The Consolidated List in its two components — pharmaceuticals and chemicals — continues to present, in a unified manner, information on restrictive regulatory decisions taken by Governments on a range of pharmaceutical products and agricultural and industrial chemicals. As such, it is a recognized source of valuable information for Governments in ensuring access to information that may be useful in taking appropriate regulatory measures for the use of pharmaceutical and chemical products in the light of their particular national circumstances. Furthermore, the provision of information on trade names, under which these products are marketed, adds value to the List and makes it easier for national authorities and others monitoring such activities to identify a restricted product available in the local market. The identification of the product with its manufacturer also provides access to safety data sheets and other information available from the manufacturer. In addition, commercial data provides an easy method to cross-reference trade names with recognized common scientific names under which most regulatory information is available. Other users of the List include intergovernmental organizations, academic institutions, concerned non-governmental organizations, the media and other members of civil society. The List has thus proved to be an important tool for public interest and consumer groups in bringing to the attention of Governments and manufacturers the need to remove hazardous products from the marketplace and in raising awareness among public officials and non-governmental organizations on the health-related effects of using certain products.

19. There is a continuous increase in the promotion of the dissemination and utilization of the Consolidated List. In particular, a considerable number of concerned non-governmental organizations make constant requests to have access to the List, and these organizations provide, as well, constant feedback on the positive use of the List. For example, the Pesticide Action Network, whose objectives include the removal of the use of pesticides from the market and support to the use of safe and sustainable pest-control methods, regularly comments favourably on the usefulness and pertinence of the List. Both the International Organization of Consumers Union and Greenpeace have similarly indicated the value of the List towards the fulfilment of their activities related to the monitoring of the use of hazardous products. Consumer groups in developing countries continue to request and rely on the List to keep updated on matters related to environmental surveillance and activities for sustainable development.

20. Starting with the second edition of the Consolidated List, a questionnaire has been included in the List for the purpose of assisting the Secretariat to determine the use to which the List is being put. The List continues to play an important role in facilitating information on products, which are severely restricted or banned in some countries but are still available in others.

21. The Department of Economic and Social Affairs of the United Nations Secretariat will undertake an in-depth analysis of the utilization of the Consolidated List immediately after the publication of the seventh issue. This analysis will be facilitated by the issuance of a full survey, which will cover both pharmaceuticals and chemicals, and will therefore be distributed to all

parties concerned with the issue of potentially hazardous pharmaceutical and chemical products. The survey will be provided to Member States, concerned intergovernmental and non-governmental organizations, consumer groups, and other members of civil society, such as the academic and the media world. To ensure that all recipients of the List will receive the survey, it will be attached to the forthcoming seventh issue on chemicals and it will be sent also to all recipients of the List interested in pharmaceuticals.

III. Developments since the previous triennial report

A. Follow-up to the United Nations Conference on Environment and Development

22. Chapter 19 of Agenda 21 emanating from the United Nations Conference on Environment and Development[7] reflects the preoccupation and the work of the organizations of the United Nations system in the area of environmentally sound management of toxic chemicals. The current work on the issue of products harmful to health and the environment is based on the principles indicated in chapter 19, which encourage increased national and international efforts for intensive international work and improved coordination of international activities. Further, chapter 19 states the need for increased coordination of United Nations bodies and other international organizations involved in chemicals assessment and management. With a view to achieving the goals of chapter 19, and more specifically those pertaining to the theme of the present report, including coordination, a number of mechanisms have been put in place for strengthening coordination at the international level. Among these, the Inter-Organization Programme for the Sound Management of Chemicals, the International Programme on Chemical Safety, the Intergovernmental Forum on Chemical Safety, and the PIC mechanism, continue to realize important work on the issue of hazardous pharmaceutical and chemical products.

23. A brief summary of activities undertaken by these mechanisms since the previous report is described below.

1. Inter-Organization Programme for the Sound Management of Chemicals

24. The Inter-Organization Programme for the Sound Management of Chemicals[8] has been designed to serve as a mechanism for coordinating efforts of intergovernmental organizations in the assessment and management of chemicals. There are seven participating organizations: UNEP, ILO, WHO, FAO, the United Nations Industrial Development Organization (UNIDO), the United Nations Institute for Training and Research (UNITAR) and the Organisation for Economic Cooperation and Development (OECD). The Inter-Organization Programme for the Sound Management of Chemicals provides a forum to these organizations to collaborate as partners in promoting international work related to the environmentally sound management of chemicals, within the framework of their own respective mandates.

25. An Inter-Organization Coordinating Committee of the Inter-Organization Programme for the Sound Management of Chemicals brings together representatives of the participating organizations for consultations on the planning, programming, implementation and monitoring of their activities. The Coordinating Committee prepares and periodically updates an inventory of the chemical safety activities of the participating organizations. To this effect, the Coordinating Committee has established coordinating groups which provide a means for interested organizations working in these areas to discuss ways and means of ensuring that their activities are mutually supportive, to monitor progress and to identify issues of concern. These coordinating groups have dealt with issues of the harmonization of chemical classification systems, chemical information exchange, pollutant release and transfer registers, assessment of existing chemicals, chemical accident prevention preparedness and response, and identification and management of obsolete stockpiles of pesticides and other chemicals. The Coordinating Committee has direct responsibility for the coordination of the capacity-building activities of the participating organizations.

2. Intergovernmental Forum on Chemical Safety

26. The International Conference on Chemical Safety, following a recommendation of the United Nations Conference on Environment and Development, established in 1994 the Intergovernmental Forum on

Chemical Safety,[9] an international mechanism for cooperation in chemical safety. The Intergovernmental Forum brings together public and private stakeholders, including Governments, intergovernmental bodies, non-governmental organizations and other representatives of civil society in efforts to arrive at policy guidance and strategies to build partnerships and enhance coordination in the promotion of chemical safety. The Intergovernmental Forum has held, since its inception, three sessions. Between sessions of the Forum a Standing Committee provides, inter alia, initial input on significant new issues to be considered by the Forum, as well as advice and assistance with regional efforts and monitoring of progress.

27. At its first session in 1994, the Intergovernmental Forum, a non-institutional organization, adopted priorities for action for the effective implementation of the programme areas set out in chapter 19 of Agenda 21. The recommendations contained in the priorities for action were addressed to Governments and also provided guidance to international bodies for the development of tools for use by Governments in meeting their national targets. At the second session, held at Ottawa in February 1997, the Intergovernmental Forum reviewed activities carried out since the first session and provided further recommendations to the General Assembly at its special session in 1997 for the review of progress in the implementation of Agenda 21. Considerable progress was reported in achieving the targets included in chapter 19 of Agenda 21.

28. At its third session, held in Brazil in October 2000, the Intergovernmental Forum reviewed progress on the follow-up on the programme of action for the sound management of chemicals included in chapter 19 of Agenda 21, as well as on progress in meeting the targets set at the first and second sessions of the Forum. Substantive progress has been achieved in meeting these targets and, in particular, progress was noted in the evaluation of the potential risks for human health and the environment of chemicals; harmonization of classification and labelling of chemicals; increasing the availability of information; implementation of voluntary measures and negotiations for a legally binding instrument for persistent organic chemicals; the issuing of stockpiles of obsolete pesticides and other chemicals; safer substitutes for and decreased use of hazardous chemicals; and development of national profiles and action plans for chemicals management.

29. At its third session, the Intergovernmental Forum adopted the Bahia Declaration and Priorities for Action beyond 2000, which are addressed to Governments, international organizations and other stakeholders. The Priorities emphasize the efficient coordination of efforts by all sectors, the participation of employers and workers, and the strengthening of the community's "right to know". The Priorities include an update of objectives in established areas, and also set targets in several new areas. These include: data on inherent hazards in geographical areas other than temperate climate regions; ensuring that relevant hazard data become available as soon as possible; ensuring that information on hazards related to export of hazardous chemicals is available; management of stocks of pesticides and other chemicals that are no longer in use; global measures against persistent organic pollutants; data on poisonings of users of toxic pesticides; national plans of action to address hazardous chemicals; taking action against illegal traffic in toxic and dangerous products; and promoting assistance to enable all participating countries to work on all of the Forum's programme areas. All partners of the Intergovernmental Forum — Governments, international organizations, industry, labour unions and public interest groups — are called upon to actively participate in realizing the Priorities within a defined time frame.

3. International Programme on Chemical Safety

30. WHO, jointly with ILO and UNEP, through the International Programme on Chemical Safety,[10] has continued to prepare guidance documents on methodologies for assessing risks from exposure to chemicals. Progress has also been reported on work related to endocrine disrupting chemicals, assessing risks for children and integrated health and environmental risk assessment. Within the framework of the project on the Harmonization of Approaches to Risk Assessment, the International Programme on Chemical Safety continued its work related to risk assessment terminology (jointly with OECD), cancer risk assessment, reproductive and developmental toxicity, exposure assessment and uncertainty/variability analysis.

31. Within its programme of risk assessment of priority chemicals, the International Programme continues to publish the Environmental Health Criteria and Concise International Chemical Assessment

Documents. The Environmental Health Criteria, which provide assessments of the effects of chemicals on human health and the environment, are particularly designed for use by scientific experts responsible for risk evaluation and to enable relevant authorities to establish policies on the safe use of these chemicals. The Concise International Chemical Assessment Documents reflect high-quality national or regional evaluations and focus on hazard and dose-response from exposure to particular chemicals.

32. Within the project on international chemical safety cards, managed by ILO through the International Programme with financial assistance by the European Union and ILO, approximately 1,200 international chemical safety cards can be accessed, at no cost, on the Internet, in the Chinese, English, French, Finnish, German, Japanese, Korean, Spanish, Swahili, Thai and Urdu languages. Work on translation into the Hindi, Bengali, Tamil and Portuguese languages is ongoing or planned. Close to 50 national institutions are involved in this project.

33. New poison information centres have been established in 25 countries. WHO has published a number of guidelines on poison control, which provide Governments and health-care professionals advice on the establishment and strengthening of poison control centres. Also, the International Programme's INTOX CD-ROM database containing evaluated information for poison centre professionals and clinical toxicologists have been published. The series entitled "Poison Information Monographs", of which over 400 are available on CD-ROM, includes the majority of information on diagnosis and treatment of poisoning, in particular up-to-date information on inquiries on exposures and suspected poisoning. The INTOX programme, with the involvement of experts from over 60 countries, has also developed a globally harmonized system for data collection on human poisonings, toxic exposures and chemical incidents. The system is available in English, French, Portuguese and Spanish and is currently being translated into Arabic, Chinese and Russian.

34. WHO, through the International Programme on Chemical Safety and its partner institutions, has organized training courses on environmental and health risk assessment and management of toxic chemicals in a number of developing countries. Also, capacity-building was provided to over 60 developing countries on the establishment or strengthening of poison centres, and additional training was provided in the use of the International Programme harmonized database management system. In addition, training courses in the use of the INTOX, the International Programme's INCHEM databases and workshops on chemical safety have been held in the Philippines, Venezuela, South Africa (2), Viet Nam, Argentina, Ecuador, Nepal, Uruguay, Singapore and Germany.

35. UNEP held over 70 regional training and capacity-building workshops during the period, and supports projects to promote chemical safety in about 60 countries. These deal directly with banned or severely restricted chemicals.

36. In accordance with the Priorities for Action beyond 2000 adopted at the third session of the Intergovernmental Forum on Chemical Safety, the Forum's Standing Committee was requested to provide initial input on the extent of the problem of acutely toxic pesticides and guidance for sound risk management and reduction. The International Programme on Chemical Safety is well suited to contribute to this activity as it has been involved for some time in the collection of data on pesticide poisonings worldwide. In this connection, the International Programme has prepared a related project plan with the objective of collecting harmonized human data on pesticide poisonings, with a view to establishing the global burden of disease and dysfunction attributable to this cause. The project includes the undertaking of focused studies, including one on toxic exposures, setting up surveillance mechanisms and databases on pesticides, training within the health sector and awareness-raising through public education and prevention campaigns. To date, one workshop on evaluation of first stage activities that have taken place in India, Indonesia, Nepal and Thailand was held at Delhi, in January 2001. A regional project, for which assistance from donor countries will be sought, is being planned. The project was to be considered at the meeting of the Global Information Network on Chemicals to be held at Tokyo in April 2001.

4. Prior informed consent

37. As a result of continuous collaboration that began in 1989 between FAO and UNEP on the principle of prior informed consent,[11] the Conference of Plenipotentiaries in Rotterdam, Netherlands, adopted the Rotterdam Convention on the Prior Informed

Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade on 10 September 1998.[12] The Convention has been signed by 72 States and one regional economic integration organization, and will enter into force 90 days after the submission of the fiftieth instrument of ratification. As of February 2001, 14 instruments of ratification had been deposited. Member States and regional economic integration organizations should ratify, accept, approve or accede to the Convention with a view to ensuring that the necessary procedures are set into place for the its prompt implementation.

38. In its resolution on interim arrangements, the Rotterdam Conference decided to bring the original voluntary PIC procedure in line with the provisions of the Convention to allow, inter alia, to continue to operate a voluntary procedure for the application of the procedure. This is called the interim PIC procedure. Under this new procedure, the Intergovernmental Negotiating Committee performs the functions of the Conference of the Parties. An Interim Chemical Review Committee has been established by the Intergovernmental Negotiating Committee. UNEP and FAO have been designated as secretariat for the Convention, and also serve as secretariat for the interim PIC procedure.

39. In its capacity as a governing body for the interim PIC procedure, the Intergovernmental Negotiating Committee addresses issues such as: review of methods of collection of information; establishment of the Interim Chemical Review Committee, including its operational procedures; inclusion of new chemicals into the interim PIC procedure; and adoption of decision guidance documents. As the subsidiary body of the interim PIC procedure, the Interim Chemical Review Committee considers draft decision guidance documents for new chemicals to be included in the interim PIC procedure, makes recommendations to the Intergovernmental Negotiating Committee on the inclusion of new chemicals in the interim PIC procedure, and reviews the operational procedures for the Interim Chemical Review Committee. The secretariat ensures the operation of the interim PIC procedure by performing the functions entrusted to it by article 19 of the Convention.

40. The objective of the Convention is to promote shared responsibility and cooperative efforts among parties in the international trade of certain hazardous chemicals in order to protect human health and the environment from potential harm and to contribute to their environmentally sound use, by facilitating information exchange about their characteristics, by providing for a national decision-making process on their import and export and by disseminating these decisions to parties. The Convention applies to banned or severely restricted chemicals or pesticides and also includes severely hazardous pesticide formulations that are not otherwise banned or severely restricted according to the Convention. The Convention at present covers 31 products,[13] including 17 pesticides, 5 severely hazardous pesticide formulations and 5 industrial chemicals that were originally included in the Convention in September 1998, and 4 additional chemicals that have been included since.

41. In connection with the disparity between the number of products currently covered under the Rotterdam Convention (31) and the number of products that are included in the Consolidated List (over 300, see para. 8). It is worthwhile to mention that it will take longer to add a limited number of new products under the Rotterdam Convention, with its legally binding mandate, its focus on banned or severely restricted products and strict criteria for the inclusion of new products, including the preparation of decision guidance documents. The List, on the other hand, is an instrument mandated by General Assembly resolution 37/137 and others, with the primary responsibility of disseminating information available within the United Nations system on products harmful to health and the environment on which regulatory actions have been taken by Governments to as wide an audience as possible, including member Governments, as well as concerned non-governmental organizations.

42. It is also important to note that summaries of notification of regulatory action received by the Convention secretariat, if not satisfying all elements of the criteria specified in annex I to the Convention, will not be published; only limited information will be circulated. Therefore, the United Nations Secretariat intends to request the Convention secretariat to provide summaries of notifications that have not yet complied with the requirements of annex I, since those notifications remain valid within the country of origin, and they may be included in the List for the potential benefit of other countries.

B. Other developments

43. The World Trade Organization (WTO) addresses the issue of the export of domestically prohibited goods. More specifically the WTO Committee on Trade and Environment has been examining this issue since 1995 when the mandate of the Working Group on Export of Domestically Prohibited Goods and other Hazardous Substances of the General Agreement on Tariffs and Trade (GATT) was incorporated in the work programme of the Committee. While the Committee has identified a number of international instruments relevant to the export of domestically prohibited goods, much progress remains to be achieved. There have been, however, positive exchanges of experiences between the Committee and the secretariats of relevant multilateral environmental agreements. For example, the recent trade-related developments in the Rotterdam Convention and the Stockholm Convention on Persistent Organic Pollutants[14] have been presented to the Committee on Trade and Environment[15] by the respective Convention secretariats. Further, a representative of the Department of Economic and Social Affairs will brief the Committee, at its meeting in June 2001 on the information included in the Consolidated List, more particularly on the restrictive regulatory actions taken by national authorities on consumer products that may be hazardous because of their chemical composition.

C. Technical assistance/capacity-building

44. The Inter-Organization Programme for the Sound Management of Chemicals, as the overall mechanism for the promotion of coordination among the organizations of the United Nations system in the area of technical assistance for strengthening capacity-building for developing countries, has continued to provide a central forum for the coordination of such activities. The Inter-Organization participating organizations of the ten organize related workshops on such issues as the prevention and disposal of obsolete and unwanted stocks of pesticides.

45. The Intergovernmental Forum on Chemical Safety actively promotes assistance to enable all countries to work in all of the Forum's programme areas, and its Standing Committee provides advice and assistance with regional efforts and monitoring of progress. The updated Intergovernmental Forum's Priorities for Action beyond 2000 (see para. 29) address the need to provide appropriate hazard data on all chemicals in commerce, mechanisms for accessing information on chemicals and building the capacities of countries to access and use such information. An information exchange network on capacity-building for the sound management of chemicals within the framework of the Intergovernmental Forum is being established to enhance access to information on various aspects of capacity-building activities. Progress made on these Priorities and further recommendations for action will be considered at the next session of the Forum, in 2003. The Stockholm Convention secretariat in UNEP is continuing to implement its programme of action in the field of persistent organic pollutants and held during 1999 and 2000 29 regional and subregional workshops on persistent organic pollutants, issued and distributed 18 related publications and supported 25 related country-based projects. In the area of toxic substances, UNEP and the Global Environment Facility (GEF) collaborate in the undertaking of projects for assessing national management needs regarding toxic substances and for regionally based assessment of persistent toxic substances. It is expected that as the designated principle entity of the financial mechanism of the Stockholm Convention, the Intergovernmental Forum will be able to support countries' activities under this treaty, which, inter alia, will include capacity-building. In addition, the Intergovernmental Forum has begun implementation of an information exchange network for capacity assistance and significant steps have been taken recently to improve capacity-building. It should be pointed out however, that there is a need to elevate the relative priority for capacity-building in the pesticides and toxic chemical areas within the governing bodies of respective United Nations organizations.

46. The International Programme on Chemical Safety has continued its programme of training courses on environmental and health risk assessment and management of toxic chemicals, and on capacity-building for the establishment and/or strengthening of poison centres. Also, the International Programme is planning to conduct training activities within the health sector, and has already carried out a related workshop at Delhi, in January 2001 (see para. 36).

47. With regard to domestically prohibited goods, WTO stresses the need for national health and environmental standards and their effective

enforcement as the most important form of protection for developing countries against imports of undesirable products. Capacity-building and technical assistance is, therefore, necessary in this context and should be directed at enhancing the ability of developing and least-developed countries to make use of existing information and training sources.

IV. Future trends and emerging issues

48. While the Intergovernmental Forum on Chemical Safety and the Inter-Organization Programme for the Sound Management of Chemicals are relatively new mechanisms, they have been instrumental in helping identify priorities for action by Governments and international organizations, in improving awareness of international activities and access to information, and in increasing cooperation and coordination in the area of chemical safety. During the period under review, the Stockholm Convention on Persistent Organic Pollutants was adopted and opened for signature at Stockholm on 22 and 23 May 2001. Some 91 countries and the European Union have signed the Convention. The prompt ratification, acceptance, approval or accession to the Convention with a view to its entry into force as soon as possible, and preferably by 2004, would be an important step towards achieving progress in the implementation of the recommendations contained therein. In that connection, closer collaboration between UNEP and GEF in promoting the implementation of the Stockholm Convention is envisaged. It is encouraging that UNEP and the World Bank have signed a memorandum of understanding to cooperate and coordinate their respective identification, implementation and review of certain country or regionally based activities for the reduction and/or elimination of the release of persistent organic pollutants, taking into account the priorities identified in the convention. The areas of cooperation include supporting the development and undertaking of national or regional implementation plans.

49. The system of designated national authorities, a mechanism of great importance for the implementation of the interim PIC procedure, has seen a regular increase in the number of countries making nominations. Since last reporting on this issue, in June 2000, Cambodia has nominated, for the first time, a designated national authority for participation in the interim PIC procedure, and two member States, Mexico and Samoa have nominated additional designated national authorities.

50. In September 1999, WHO notified the Director-General of WTO that certain cosmetic products containing mercury were being manufactured in European countries and marketed in the developing world. The WTO Committee on Trade and Environment, concerned with the domestically prohibited goods, considered the issue at its subsequent sessions in 1999 and 2000. The case highlights a situation particularly problematic for consumers to whom the products are sold and who do not have access to relevant information and are unaware of the hazards involved. The WTO secretariat has recognized, however, that some related information is already available in the Consolidated List, which identifies a number of products containing mercury and mercury compounds, along with pertinent regulatory actions. The United Nations Secretariat is ready to pursue further the issue of cosmetic products containing mercury in close cooperation with the WTO secretariat.

V. Conclusions and recommendations

51. During the period under consideration, there has been a marked progress in the activities carried out in the area of products harmful to health and the environment. The pertinent nature of the Consolidated List has been widely recognized by all stakeholders, including Governments, intergovernmental and non-governmental organizations, the academic and media worlds and other members of civil society, including consumer groups.

52. Dividing the List into two issuances, pharmaceuticals and chemicals, has made the Consolidated List more accessible to a greater number of users, and has made the various databases more manageable. This important progress, however, makes it necessary, at the same time, to review the directive related to the publication of the List in alternating languages each year, with no more than three languages per year and with the same frequency for each language. In accordance with the spirit of General Assembly resolution 37/137, the List would continue to include data collected on hazardous products under the original PIC procedure until the products are reviewed by the Rotterdam Convention (see para. 41 above).

53. At the same time, the agreements entered into by the parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade would make it necessary to review the services rendered by the Consolidated List with a view to delineating the future publication of the List.

Recommendation 1

54. **The Economic and Social Council may wish to consider publishing each of the two issuances of the Consolidated List, pharmaceuticals and chemicals, in all official languages — the English language version in the already established formatted text, and the versions in the other languages as a text file. In this connection, the List should continue to include previously collected data, while at the same time making distinct entries for those products covered under the interim PIC procedure, in line with the Rotterdam Convention. The List would consequently keep updating the information contained therein in accordance with relevant action being taken by the Rotterdam Convention.**

55. The organizations concerned with the question of products harmful to health and the environment recognize that national environmental and health standards and their effective enforcement are the most important tools of protection for developing countries against undesirable products. They also recognize and stress the need for strengthening capacity-building and technical assistance to enhance the position and ability of concerned countries in using the existing information sources. GEF, as the designated principle entity of the financial mechanism of the Stockholm Convention, will be able to support countries' activities under the Convention, which will include capacity-building. In addition, an information exchange network on capacity-building for the sound management of chemical within the framework of the Intergovernmental Forum on Chemical Safety, currently being established, will enhance access of those concerned with information on aspects of capacity-building activities.

Recommendation 2

56. **The Council may wish to recommend to multilateral and bilateral agencies to continue to strengthen and coordinate their activities for improving capacity-building of developing and least developed countries, including innovative methodologies for earmarking, assessing and monitoring technical assistance in the area of sound management of toxic chemicals and dangerous pharmaceuticals.**

57. With regard to related work of other intergovernmental bodies, it is particularly satisfying to stress the adoption of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants.

Recommendation 3

58. **The Council may wish to recommend to Member States the prompt ratification, acceptance, approval or accession to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants.**

59. The Department of Economic and Social Affairs will hold consultations with concerned agencies and, taking into account recent developments, examine how best the scope and contents of the List could be refined and enhanced so as to avoid duplication of other instruments and provide better and more up-to-date information with wider coverage of products. In this context, the user survey to be undertaken by the Department should provide meaningful insights and comments, which would greatly assist the Department in improving the contents of future publications of the Consolidated List. The survey to be sent to all interested parties should be a useful tool for gathering information on the needs of those concerned with the List, improving its contents, increasing its coverage, and widening the scope and use of the List.

Recommendation 4

60. **The Council may wish to recommend that Member States, intergovernmental organizations, concerned non-governmental organizations and other members of civil society, including consumer groups, the academic sector and the media, pay close attention to and cooperate with the United Nations Secretariat in carrying out the forthcoming survey.**

Notes

[1] For previous issues of the Consolidated List, see United Nations publications, Sales Nos. E.85.IV.8, E.87.IV.1, E.91.IV.4, E.94.IV.3 and E.97.IV.2.

[2] Representatives of the United Nations Secretariat, WHO, ILO, UNEP Chemicals and WTO participate in the inter-agency coordinating meetings.

[3] See A/41/329-E/1986/83, A/44/276-E/1989/78, A/47/222-E/1992/57 and Corr.1, A/50/182-E/1995/66 and Corr.1 and A/53/156-E/1998/78.

[4] Since 1987, the criteria has been included in all issues of the Consolidated List, as Consolidated Annex II.

[5] See www.ilo.org/public/english/protection/safework/standard.htm#cr_specrisk.

[6] See www.codexalimentarius.net.

[7] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[8] For further information: www.who.int/iomc.

[9] See www.who.int/ifcs.

[10] See www.who.int/pcs.

[11] See www.pic.int.

[12] For developments between 1989 and 1998, see A/53/156-F/1998/78, paras. 26-28.

[13] They are 17 pesticides (2,4,5-T, Aldrin, Captafol, Chlordane, Chlordimeform, Chlorobenzilate, DDT, Dieldrin, Dinoseb and Dinoseb Salts, EDB (1,2-dibromoethane), Fluoroacetamide, HCH (mixed isomers), Heptachlor, Hexachlorobenzene, Lindane (gamma-HCH), Mercury Compounds and Pentachlorophenol), 5 severely hazardous pesticide formulations (Methamidophos, Methyl-parathion Monocrotophos, Parathion, and Phosphamidon), and 5 industrial chemicals (Crocidolite, PBBs, PCBs, PCTs and Tris (2,3-dibromopropyl) phosphate), which were originally included in the Convention in September 1998. The four additional chemicals included since then are binapacryl, ethylene dichloride, ethylene oxide and toxaphene.

[14] See www.chem.unep.ch/pops.

[15] See WT/CTE/W/128.